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NOTICE OF MUNICIPAL PLANNING TRIBUNAL MEETING OF STELLENBOSCH MUNICIPALITY FRIDAY, 2026-03-27 FROM 10:00 - 15:00

VOLUME 1

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NOTICE OF MUNICIPAL PLANNING TRIBUNAL MEETING
OF STELLENBOSCH MUNICIPALITY
FRIDAY, 2026-03-27 FROM 10:00-15:00

Ref. no. 3/4/5/2/40
2026-03-27

Chairperson
Mrs H Crooijmans-Lemmer
Deputy-Chairperson
Mr P van Zyl

External Members
Mrs C Havenga
Mr D Leo
Mr S Boshoff
Internal Members
Mr A Barnes: Director - Planning and Economic Development
Mr M Williams: Senior Legal Advisor
Mr A van der Merwe: Senior Manager - Community Services
Mrs M Francis: Senior Manager - Infrastructure Planning, Development and Implementation, Directorate Infrastructure Services
Mr J Benjamin: Senior Manager - Planning and Economic Development

Technical Advisor
Mr K Munro - Director Environmental & Spatial Planning: Department of Environmental Affairs and Development Planning

Notice is hereby given in terms of Section 75(1) of the Stellenbosch Municipality Land Use Planning By-Law (2023), of the Municipal Planning Tribunal Meeting which will be held at the **Stellenbosch Council Chambers, Stellenbosch Municipality, Plein Street, Stellenbosch on Friday, 2026-03-27 from 10h00-15:00** *to consider the items on the Agenda.*

Mrs H Crooijmans-Lemmer
CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL

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MINUTES OF THE STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL MEETING HELD ON FRIDAY, 27th OF FEBRUARY 2026 AT THE PNIEL LIBRARY HALL, MAIN ROAD, PNIEL, FROM 10H00-15H00

Ref. no. 3/4/5/2/40
2026-02-27

Chairperson
Mrs H Crooijmans-Lemmer

Deputy-Chairperson
Mr P Van Zyl

External Members
Mrs C Havenga
Mr S Boshoff

Internal Members
Mr A van der Merwe: Senior Manager- Community Services
Mr M Williams: Senior Legal Advisor
Mr J Benjamin: Senior Manager – Development Planning
Mrs M Francis: Senior Manager - Infrastructure Planning, Development, and Implementation

Technical Advisor
Mr K Munro: Director Development Management, Department Environmental Affairs and Development Planning

Officials
Mr S Carstens: Senior Manager: Development Management
Mrs C Kriel: Manager: Land Use Management
Mrs O Vergotine: Administrative Officer
Mrs L Engelbrecht: Senior Town Planner
Ms B Zondo: Senior Town Planner
Mr G Goosen: Senior Town Planner

ITEM	SUBJECT
SMPT 01/02/26	**OPENING AND WELCOME**
	Chairperson Crooijmans-Lemmer welcomed all present.

SMPT 02/02/26	**LEAVE OF ABSENCE**
	Mr D Leo Mr A Barnes: Director - Planning and Economic Development Councillor: T Kumm

SMPT 03/02/26	**DISCLOSURE OF INTERESTS**
	None received

SMPT 04/02/26	**MINUTES OF THE PREVIOUS MEETING DATED 21 November 2025**
	The minutes of the previous meeting was noted.

	MATTERS FOR CONSIDERATION
SMPT 05/02/26	**APPLICATION FOR REZONING TO SUBDIVISIONAL AREA & SUBDIVISION: FARM NO. 1307/2 AND FARM NO. 1307/3 (TO BE CONSOLIDATED), STELLENBOSCH DIVISION** **Discussion:** a. Chairperson Crooijmans-Lemmer handed over to Mrs L Engelbrecht to give a brief introduction of the application that served before the Tribunal. b. Overall, it is the opinion of the MPT that the bigger picture has not been resolved by the applicant as there appears to be no consideration to connect and integrate the different areas of development. c. Questions were raised regarding the purpose of Portion A and Portion B of the former and current development proposal. Clarity was given based on the applicant's motivation that Portion A will keep its current zoning to be used for agricultural activities, while Portion B is earmarked for a municipal housing project

adjacent to the Longlands Village development. However the above results in an increasingly fragmented and segregated urban form.

d. A question was raised whether the application to be considered is only restricted to the housing estate component that was submitted in the application as an amendment for subdivision, or if the rest of the property should also be regarded as being part of the current application and therefore subject to reconsideration. It was confirmed that the approach of the initial application was for the amendment of the subdivision plan to increase the density of the approved conventional residential component to more than double. As the former subdivisional area zoning did not support the proposed increased density, the approach of the application had to be amended to establish a new subdivisional area zone that will support and permit such increased density and the associated subdivision plan. As such, the total property must be subject to the application and decision.

e. Regarding the clarity obtained on the scope of the application, and having regard that the previous agreements relating to the social housing contribution on Portion B are still applicable, concerns were raised on the principle that a significant increase in residential opportunities are petitioned in the current application, whilst the associated contribution to the social housing development component have not been re-considered. As the area is not identified as a priority development area in the MSDF, it is noted that the Inclusionary Zoning Policy is not enforceable, but the application for enhanced densities and the social housing agreement does present a similar opportunity to review the social development contribution. The layout currently creates a buffer between the housing developments. The available vacant land can instead offer opportunities for (much needed) sport and recreation facilities for the community as well as an increase of the Social Housing component.

f. The rationale of the original development concept and proposal presented the agricultural portions of the property as being inherent design features of the envisaged estate development. The current application still alludes to present the agricultural land as an open space design element of the development but does not clarify the continued purpose of these agricultural components and this matter should be clarified and the rationale of the agricultural components as part of the proposed development should be reinforced as part of the development and to be owned and managed as communal land by the HOA to the benefit of the wider community.

UNANIMOUSLY RESOLVED:

1. That the following applications in terms of the Stellenbosch Municipal Land Use Planning By-Law, 2023, on Farm No. 1307/2 and Farm No. 1307/3, Stellenbosch Division namely:

1.1 The **rezoning** of the consolidated property in terms of Section 15(2)(a) of the said Bylaw from the Subdivisional Area Zone as approved in 2015 to a Subdivisional Area to allow for the following uses:

*a) Hundred and thirteen (113) x **Conventional Residential Zone** erven (erven 1 – 113) and approximately 2,93ha in extent, for dwelling houses.*

	*b) Six (6) x **Private Open Space Zone** erven (114-119) and approximately 1,79ha in extent, for open space purposes.* *c) One (1) x **Private Open Space Zone** erf (120) and approximately 1,40ha in extent for private road purposes.* *d) One (1) x **Agriculture and Rural Zone** erf (121) and approximately 2,3ha in extent for agricultural purposes.* *e) One (1) x **Agriculture and Rural Zone** erf (122) and approximately 1,43ha in extent for agricultural purposes and a wine cellar (agricultural industry).* *f) One (1) x **Multi-Unit Residential Zone** erf (Portion B) and approximately 0,97ha in extent for group housing purposes.* 1.2 The **subdivision** of the consolidated property in terms of Section 15(2)(d) of the said Bylaw in accordance with Subdivision Zoning Plan No 1, 01 October 2024, and drawn by TV3 Architects Town Planners and Urban Designer; to allow for a residential development on Portion A in accordance with the subdivisional area zone above. **BE REFERRED BACK** to the Municipality, in order to address the matters and concerns that was raised by the MPT. 2. Noting the following matters: 2.1 There is general support for the proposed increase density of the development. 2.2 The proposed revised access and egress on Polkadraai Road appear acceptable. 2.3 However, the following items need to be explored with the applicant / developer: 2.3.1 The integrated future development of the Vlottenburg precinct and the subject land holding as a whole, including considering an appropriate future for holdings currently listed as Portion A and Portion B as part of the implementation of the development. 2.3.2 This should consider the broader community needs, for example increased affordable or social housing, communal sport fields, public open space etc.
SMPT 6/02/26	**APPLICATION FOR CONSENT USE ON FARM 140/3 KYLEMORE** **Discussion:** a. Chairperson Crooijmans-Lemmer handed over to Mrs B Zondo to give a brief introduction of the application that served before the Tribunal. b. Discussions follow about the desirability of the proposal in an area where the rural character is changing due to the major construction works on adjacent properties. On its own the proposal might be acceptable but not clarifying the

	current uses which constitutes a contravention of the zoning scheme, the misrepresentation is noted. c. The Municipality confirmed that a process for the drafting of a Local SDF for the area has commenced. It was also confirmed that the construction on the adjacent properties is in compliance with approved building plans. **UNANIMOUSLY RESOLVED:** 1. That the following application(s) in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning Bylaw on Farm 140/3 Kylemore for a **Consent Use** to construct the proposed second dwelling unit and utilise the second dwelling unit as three (3) bedrooms guest house. **BE REFUSED** in terms of Section 60 of the said Bylaw. 2. **The reasons for the above decision are as follows:** 2.1 The proposal is in conflict with the applicable Stellenbosch Zoning Scheme By-law, on its presentation and not in line with the intent of the zoning scheme. 2.2 The proposal is submitted and motivated as a second dwelling unit, while a site inspection conducted revealed that the existing pool house with bar is being utilised/converted to a second dwelling unit in contravention with the approval, thereby constituting a misrepresentation of current uses. 2.3 Establishing a third dwelling unit on a property situated within an agricultural and rural zone is not permitted on properties smaller than 10 ha. 2.4 In the event that the pool house has not been converted, the proposed development would nevertheless have a detrimental impact on the surrounding low-density rural agricultural area, as well as on the broader cultural landscape of the Dwarsriver Valley. 2.5 The application is misleading and not consistent with the vision of the MSDF to preserve agricultural land and maintain the rural character of the area and may be regarded as contributing to urban sprawl. 2.6 The property is located adjacent and just outside of the approved urban edge within a transitional area which forms the buffer between the Kylemore urban area, and the rural area and the development is regarded as pre-curser to urban sprawl.
SMPT 07/02/26	**OTHER MATTERS**
7.1	**PLANNING POLICIES (REVIEWED OR APPROVED BY COUNCIL)**

a. The draft Zoning Scheme Bylaw is still under way, and the Municipality is considering the input received, especially from the Agricultural Society and the Franschhoek community relating to AirB&B / tourist dwelling units.
b. The draft Problem Property Bylaw was submitted to Council for approval.
c. The Koelenhof LSDF which was funded by private developers, was submitted to Council for approval to proceed with the public participation process.
d. A consultant was appointed to draft the Dwarsrivier LSDF to be finalised in the next financial year.
e. The economic Rural Development Strategy was advertised for public comment.
f. The Tree Management Policy has been updated.

7.2 APPEALS RECEIVED AGAINST MPT DECISION

a. Two new appeals were received for Erf 346, Stellenbosch and Erf 211, Raithby.

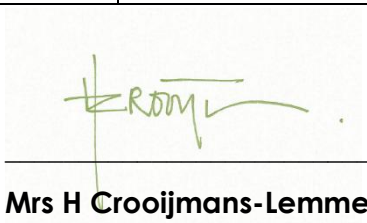
Reference	Erf No.	Date received	Application detail	Status
LU/16002	Erf 211 Raithby	27-11-2025	MPT decision on Padel Courts	Administrative phase
LU/17275	Erf 346 Stellenbosch	9-12-2025	MPT decision on Alexander Street flats and offices	Administrative phase

b. One appeal was recently decided for Farm 124/11.

Reference	Erf No.	Date received	Application detail	Status
LU16296	Farm 124/11 Stellenbosch Division	22-12-2024	MPT decision on Tourist accommodation	The Appeal Authority resolved on 16 January 2026 that the appeal submitted against the decision of the Municipal Planning Tribunal of the 29th of November 2024, in respect of the subject application **BE UPHELD**, and

					that the subject decision **BE REVOKED** in terms of Section 81(7)(b) of the Stellenbosch Municipal Land Use Planning By-law and **BE REPLACED**

7.3	**GENERAL**
	a. The Chairperson gave feedback on a meeting held with Anthony Barnes and Stiaan Carstens and the agreement that was reached to make the Departments' quarterly reports available to the MPT.



Mrs H Crooijmans-Lemmer

CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL



Mr P van Zyl

DEPUTY-CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL

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APPLICATION FOR REZONING, SUBDIVISION, STREET NAMING AND NUMBERING: FARM NO. 468/28, STELLENBOSCH DIVISION

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DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT
DEVELOPMENT MANAGEMENT: LAND USE MANAGEMENT

PLANNING REPORT ON APPLICATION IN TERMS OF SECTION 15(2) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW

APPLICATION DETAILS:
APPLICATION FOR REZONING, SUBDIVISION, STREET NAMING AND NUMBERING: FARM NO. 468/28, STELLENBOSCH DIVISION.

Application Reference	LU/17211	**Commencement Date**	2024-07-22
Applicant	J Samson Consultancy obo Virdus Works Pty Ltd	**Last day for comments or additional information**	24/02/2026
Erf/Farm nr	Farm No 468/28	**Place**	Stellenbosch Division
Zoning	Agriculture and Rural Zone	**Other approvals**	none

X	TYPE OF APPLICATION
X	**15(2)(a) rezoning of land***
	15(2)(b) a permanent departure from the development parameters of the zoning scheme
	15(2)(c) a departure granted on a temporary basis to utilize land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land
X	**15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement***
	15(2)(e) a consolidation of land that is not exempted in terms of section 24*
	15(2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit*
	15(2)(g) a permission required in terms of the zoning scheme
	15(2)(h) an amendment, deletion or imposition of conditions in respect of an existing approval*
	15(2)(i) an extension of the validity period of an approval
	15(2)(j) an approval of an overlay zone as contemplated in the zoning scheme
	15(2)(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram*
	15(2)(l) a permission required in terms of a condition of approval
	15(2)(m) a determination of a zoning
	15(2)(n) a closure of a public place or part thereof
	15(2)(o) a consent use contemplated in the zoning scheme
	15(2)(p) to disestablish a homeowners' association
	15(2)(q) to rectify a failure by a homeowners' association to meet its obligations in respect of the control over or maintenance of services
	15(2)(r) a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building
X	**Approval required in terms of relevant policy for street naming and numbering**

	Approval required in terms of Council policies or by-laws – Specify:
	Consent / Permission required in terms of a title deed (includes where planning permission is required in terms of the Advertising on Roads and Ribbon Development Act, Act 21 of 1940)

NATURE AND SCOPE OF PROPOSED LAND USE APPLICATION

Application is made;

1. In terms of Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning Bylaw (2023) for the rezoning of the Remainder Portion 28 of Farm No 468, Stellenbosch Division from Agricultural and Rural Zone to Subdivisional Area Overlay Zone to allow the following uses in a mixed use and in a Multi-unit residential development of 53 portions, providing ±884 dwelling units of which 20% (±176 units) needs to be set aside for Inclusionary housing; namely Private Open Space, Education Zone; Mixed Use Zone, Multi-Unit Residential Zone, Conventional Residential Zone and Public Roads and Parking Zone.

2. In terms of Section 15(2)(d) of the said bylaw for the subdivision of Farm No 468/28, Stellenbosch Division into 52 Portions and a Remainder Road, namely;

3. Erf 1 (±0,6682ha), Erf 2 (±1,7655ha), Erf 3 (±0,3054ha), Erf 4 (±0,8815ha), Erf 5 (±0,8274ha), Erf 6 (±0,7024ha), Erf 7 (±1,0678ha), Erf 8 (±0,7719ha), Erf 9 (±0,5976ha), Erf 10 (±1,0671ha), Erf 11 (±05,5319ha), Erf 12 (±0,1794ha), Erf 13 (±0,9219ha), Erf 14 (±0,9179ha), Erf 15 (±0,9300ha), Erf 16 (±2,6625ha), Erf 17 (±1,5857ha), Erf 18 (±0,3214ha), Erf 19 (±0,1159ha), Erf 20 (±0,1440ha), Erf 21 (±0,1302ha), Erf 22 (±0,2216ha), Erf 23 (±0,7267ha), Erf 24 (±1,5497ha), Erf 25 (±1,5905ha), Erf 26 (±1,2612ha), Erf 27 (±0,4115ha), Erf 28 (±0,6034ha), Erf 29 (±0,7905ha), Erf 30 (±0,4438ha), Erf 31 (±0,4699ha), Erf 32 (±0,5252ha), Erf 33 (±0,5896ha), Erf 34 (±0,0367ha), Erf 35 (±0,0426ha), Erf 36 (±0,6180ha), Erf 37 (±0,5786ha). Erf 38 (±0,4251ha), Erf 39 (±0,5881ha), Erf 40 (±0,7033ha), Erf 41 (±0,8611ha), Erf 42 (±2,3266ha), Erf 43 (±1,2018ha), Erf 44 (±1,2249ha), Erf 45 (±1,2691ha), Erf 46 (±1,2800ha), Erf 47 (±0,7212ha), Erf 48 (±0,4833ha), Erf 49 (±0,4972ha), Erf 50 (±2,3244ha), Erf 51 (±0,4615ha), Erf 52 (±0,8823ha) and a Remainder Farm No. 468/28 (±0,734ha).

4. In terms of Section 15(2)(d) of the said bylaw for the subdivision of Farm No 468/28, Stellenbosch Division into 14 Phases and the registration of services servitudes (5m wide gravity sewer line, 3m wide water line and 5m wide rising main sewer line).

5. The approval of the following 18 street names (alternatives in brackets where applicable) in terms of the Stellenbosch Municipal Street Naming and Numbering Policy 2022;

   Lynedoch Street, Welmoed Avenue (Welmoed Road), Meerlust Avenue (Meerlust Road), Cellar Street (Kelder Street), Spier Avenue (Farm Road), Granite Avenue (Plunton Road), Drie Gewels Avenue (Institute Road), Uniqon Sqaure Avenue (Hendrich Square Road), Avalien Street (Anika Street), Marcell Street (Carla Street), Olive Street (Renosterbos), Windpomp Street (Windmill Street), Varney Street (Glen Eagles Street), Oakleaf Street (Villafontes Street), Spring Street (Fontein Street), Bendeman Street (Christelle Street), Cabernet Street (Vineyard Street) and Christiaan Close (Stella Close).

Four development alternatives were also motivated after advertising the above applications, which was included in the revised Socio-Economic and Fiscal impact report (Dated March 2025 – see **Appendix 4** for the POE);

Alternative one (1);
The option presents a "no-go" scenario, maintaining the properties status quo through continued commercial wine grape production. **This alternative is not considered a viable long-term use** of the property due to the underutilisation of the land's economic value and the likely continuous decline of output as vineyards age, leading to a reduction and eventual cessation of economic and socio-economic value derived from the property.

Alternative two (2):
The development footprint is limited to the urban development boundary surrounding the Lynedoch Node as identified by the MSDF. Up to approximately 12 ha of land are available, accommodate up to 100 residential units, 3000 square meters education space, 1500 square meters commercial space, a clubhouse component of up to 1000 square meters while retaining a significant portion of the existing commercial agricultural land. **The option is not considered a preferred long-term option because the majority of the property will be used to support continuously declining and underperforming commercial agricultural activities and restrict the long-term benefits that the property could offer to the community, economy and local authority.**

Alternative three (3):
The establishment of a development footprint that extend across the entire property introducing diverse land uses and completely transforming the existing commercial farm land into a higher-potential mixed-use urban node, removing largely treelines, undeveloped land and natural areas in favour of higher-intensity development. **This is not considered the preferred option, as the high-intensity nature and abrupt transition between urban and rural environments could influence the economic performance of surrounding properties, thereby creating knock-on effects that extend beyond local communities and economies.**

Alternative four (4):
A balance approach to establishing a development footprint on the entire property, that aims to create a contextual fit for the property within its rural setting, considering its location, environmental factors, services, amenities and socio-economic drivers, as per the advertised proposal. **This is the preferred long-term development option, as it offers the greatest socio-economic, economic and fiscal benefits while also working towards mitigating the effects that the introduction of the project could have on surrounding agricultural communities.**

The applicant provided and extensive motivational report (Attached as **Appendix 3**) consisting of site specific motivation, a Market Assessment Study, SDP's, Landscape Frameworks; subdivision, land use and phasing plans, Street naming plans, Traffic Impact Assessments, Engineering report, services plans, stormwater management plans, electrical engineering reports, visual-culture landscape impact assessment, agricultural potential reports, property owners association constitution and draft environmental basic assessment reports.

ASSESSMENT CHECKLIST			
CONSIDERATION CRITERIA	**YES**	**NO**	**Comments, if any**
Accurate intergovernmental and public participation process followed	Yes		The application was extensively advertised to all interested and affected parties, internal and external departments. The public participation process commenced on 24 October 2024 with advertising in the Eikestad News, a site notice and notices to interested an affected party, with 30days granted for interested and affected parties (which concluded on 25 November 2024) and 60days for departments. (Note: dates indicated on POE Checklist are incorrect).
Objections received	Yes		Objections (See **Appendix 5**) were received from; 1. Lynedoch Eco Village Home Owner's Association with accompanied supportive petition of 23 signatures. 2. Lynedoch Land Trust 3. Damian Hacking and Thomas Platt (Residents at 53 Lynedoch Eco Village) 4. Cayla Rheeders (Rivierhuis – Uitsig plaas)

			5. Mr G J Steyn from Farm No 468/30, Stellenbosch. 6. David Wolsky and Daniella Favis (Residents at 62 Lynedoch Eco Village) 7. Dietmar Renner (Farm No. 7613, Stellenbosch) 8. S, Hogg from Hogg Family Trust 9. Prof Robert William McClelland Pott (Residents at 63 Lynedoch Eco Village). 10. Elsa Retief (Residents at 13 Lynedoch Eco Village) 11. Heidi Newton-King 12. Astrid Kennealy (Residents at 64 Lynedoch Eco Village) 13. Lawrence van Wilgen (Residents at 50 Lynedoch Eco Village) 14. Dr Jess Schulschenk (Residents at 46 Lynedoch Eco Village) 15. Matthew and Carmen Lemmetjies. 16. Sustainability Institute Trust 17. JC Brink
Comments from applicant	Yes		The applicants comment on objections are listed as **APPENDIX 6.** The departmental response, will be the planning evaluation section of this report.
Department comments and conditions	Yes		1) Department of Environmental Affairs and Development Planning (**Appendix 7**) 1.1 **Directorate: Development Management (Region 2)** **Refuse** the applications in terms of Section 54(1) of LUPA. 1.2 **Directorate: Environmental Impact Management Services: Region 1** Confirmed that the development will constitute various listed activities in term so the EIA Regulations. No record of decision was submitted by the applicant at the time of this evaluation. 2) Western Cape Government: Department of Agriculture (**APPENDIX 8**). – **Does not support** the application. 3) Heritage Western Cape: Resolved that they **did not support the proposal** in its current form on 09 April 2025, an in a follow-up resolution on 10 September 2025 **indicated that the HIA does not meet the requirements** of Section 38(3) of the NHRA. (**Appendix 9**). 4) Municipal Director: Infrastructure Services on 27 May 2025, **cannot support** the application (**Appendix 10**). The applicant responded in a letter dated 17 June 2025 & 21 August 2025, but the department mainly maintain their comment of 23 December 2024. 5) Department of Mineral Resources and Energy had no objection in terms of Section 53 of the 2022 (Act 28 of 2002). See **Appendix 11**.

			Department of Water & Sanitation approved the Water Use Licence Application. See **Appendix 12**. 6) Eskom confirmed that an indicative capacity of 2100kVA may be available, but that the actual availability of capacity and the method of supply will be determined through the formal budget quote process. See **Appendix 13**. 7) Western Cape Government – Chief Directorate Road Planning (**APPENDIX 14**) objected to the application and will reconsidered once the municipal indicated its full support for the development. This was informed by the Municipal Spatial Manager objecting to the Act 70 of 70 application. 8) Director: Community Services **have no comments.** 9) Cape Winelands Health Services **have no objection.**

KEY FINDINGS OF PLANNING EVALUATION AND DESIRABILITY CONSIDERATIONS IN TERMS OF SECTION 65 OF THE BYLAW

1. BACKGROUND AND CONTEXT

Farm 468/28 is located approximately 12km south-west of Stellenbosch Town, adjacent to the Lynedoch Eco Village, north of the intersection of Baden Powell Drive (R310) and Annandale Road. The surrounding settlement contains a cluster of institutional and educational uses, including the Sustainability Institute, Stellenbosch University-affiliated facilities, Spark Lynedoch Primary School, a Montessori pre-school, and the Lynedoch Community School. Although the property lies within an urban edge, it remains embedded within a broader agri-rural landscape characterized by a diverse mix of rural and agricultural land uses, including:

- Cultivated vineyards and orchards;
- Natural drainage systems;
- Agricultural irrigation dams;
- Natural areas and ecological corridors;
- Rural residential accommodation; and
- Tourism and agri-tourism activities typical of the Stellenbosch rural landscape.

Farm 468/28 measures approximately 45.41ha and is currently under wine grape cultivation, supported by ancillary agricultural buildings and a drainage line on its western boundary. The site forms part of a visually sensitive rural landscape of high agricultural, scenic and heritage value, framed by the Stellenbosch Mountain backdrop and rolling hills.

The proposal seeks the establishment of a large-scale greenfield mixed-use township on land designated by the municipality as Green Areas Retained. Although within the municipal urban edge, the property is designated as Green Areas Retained, signaling the municipality's intent to maintain agricultural viability, safeguard rural landscape character, and prevent premature or inappropriate urban intensification.

The farm however forms part of an extremely sensitive rural agricultural landscape with significant scenic, environmental, and heritage value. The proposal entails the establishment of a large-scale, privately managed, mixed-use township of approximately 28.09ha, comprising medium- to high-density residential units, a retirement village, institutional uses, local business uses, community facilities, and associated internal infrastructure.

The scale, form and intensity of the proposed development represent a substantial deviation from the intended contained rural settlement character of Lynedoch and raise significant concerns regarding spatial alignment, agricultural loss, heritage impacts, and policy compliance.

2. ENVIRONMENTAL AND AGRICULTURAL CONSIDERATIONS

MSDF Principle 1 emphasizes safeguarding natural systems, biodiversity assets, watercourses, and agricultural land, while directing urban growth inward toward already-established areas. The subject farms fall squarely within this strategic environmental management approach.

2.1. Environmental considerations

The subject farm contains conservation-worthy natural remnants that form part of a larger network of ecological assets functioning at a landscape scale. The property includes a non-perennial watercourse, providing hydrological connectivity across the site. Notably, the eastern boundary contains remnants of Critical Biodiversity Area 1 (CBA1): Terrestrial, comprising Swartland Granite Renosterveld, an ecosystem classified as Critically Endangered and recognized as a top conservation priority.
The proposed development would result in the loss of approximately 2.6ha of CBA1 vegetation for a detention pond and residential development, leading to further fragmentation of an irreplaceable ecological system. This is inconsistent with both the MSDF and the Western Cape Biodiversity Spatial Plan, which require avoidance and not mitigation of CBA1 clearance.

2.2. Agricultural considerations

The property is currently zoned Agricultural and Rural Zone, supporting active wine grape cultivation and forming part of a broader high-value agricultural landscape. Although inside the urban edge, the MSDF's designation of this property as Green Areas Retained underscores the municipal intent to:

- Preserve areas of agricultural significance;
- Maintain rural landscape character; and
- Prevent premature or inappropriate urban expansion.

The subject site also serves as a transitional buffer between Lynedoch Village and surrounding rural/agricultural land. Inclusion within the urban edge does not negate either the agricultural potential or the conservation and green-infrastructure functions of these areas.

The Stellenbosch Environmental Management Framework (EMF) identifies the property primarily for intensive agricultural purposes, supported by extensive agricultural use under the Agriculture Spatial Planning Category (SPC). This SPC provides the following key principles for land within productive agricultural landscapes:

- Promote consolidation of farming landscapes and prevent their fragmentation;
- Provide for land and agrarian reform;
- Improve the viability of farming by facilitating diversification of the farm economy; and
- Promote enterprise opportunities within the food system and promote sustainable farming practices.

The proposed development contradicts these principles by permanently removing approximately 29ha of high-value agricultural land from production, encouraging sprawl, and undermining long-term food security and agricultural viability. The Western Cape Rural Areas Land Use Planning Guidelines acknowledge that certain non-agricultural uses may be accommodated to support farm diversification; however, these relate to small-scale, farm-based, or tourism/agri-tourism uses, not full-blown township establishments as proposed. The scale and nature of the proposed mixed-use development are incompatible with agricultural policy intent, exceed permissible diversification thresholds, and represent an extensive conversion of agricultural land to urban development.

3. CULTURAL HERITAGE AND SCENIC VALUE

MSDF Principle 2 emphasizes the protection, enhancement, and celebration of cultural landscapes, heritage assets and scenic environments. Farm 468/28, Stellenbosch Division lies within the Eerste River Stellenbosch Farms cultural landscape, graded IIIb, which triggers the municipality's Scenic Routes and Green Transition conservation systems. This grading reflects the area's high landscape sensitivity and its importance in maintaining the visual and cultural integrity of the Stellenbosch rural environment.

3.1. Cultural and Heritage Value

The subject property forms part of the broader Stellenbosch Farms cultural landscape, an area of significant architectural, scenic, historical, and contextual value along the R310, although access is not obtained from the R310. This landscape is defined by its strong rural character, the patchwork of vineyards, and its layered agricultural history which contributes to its sense of place and heritage continuity.

The cultural landscape is characterized by the following defining elements:

- Interplay between settlement footprints, cultivated land, and natural wilderness, creating a visually coherent rural landscape;
- A coherent matrix of vineyards and orchards;
- Historic farmsteads;
- Scenic rural vistas; and
- Strong cultural and agricultural continuity.

These attributes are not only central to Lynedoch's nd surrounding areas sense of place, but they also form part of the broader Stellenbosch cultural identity, reinforcing the regions agricultural heritage and winelands landscape character.

The 2016 Stellenbosch Heritage Survey identifies this cultural landscape as one where future development should reinforce a self-sustaining, socially mixed, and environmentally aligned village typology, incorporating diverse income levels with an emphasis on subsidized and social housing, but without compromising rural landscape continuity.

The proposal introduces large-scale suburban residential typologies such as flats, group housing, and a retirement estate which is fundamentally incompatible with the historic rural settlement pattern of Lynedoch. The development also conflicts with the recommendations of the 2016 Stellenbosch Heritage Survey, which supports small-scale, socially mixed village-type development aligned with environmental and community-based principles and not gated suburban estates.

3.2. Scenic and Landscape Value

Farm 468/28 forms part of the Scenic Route Conservation System associated with Baden Powell Drive (R310), with visual exposure exceeding 70%, placing it within one of the municipality's most visually sensitive rural landscapes. Baden Powell Drive is also subject to the Urban Scenic Route Overlay Zone (USR6), which restricts development that introduces visual intrusion, skyline disruption, or landscape fragmentation along this route.

The scenic value of the area is defined by a distinctive and highly intact rural landscape, characterized by:

- A coloured patchwork of vineyards interwoven with natural vegetated edges;
- Expansive agricultural vistas extending across rolling landforms;
- Prominent views towards the Stellenbosch Mountain ranges;
- Contrasting treed Bottelary Hills visible from Baden Powell Drive and Annandale Road; and
- A sense of openness, continuity, and rural tranquility that anchors the broader Winelands identity.

These attributes collectively establish a regionally significant scenic character which the municipality has formally recognized and seeks to preserve through its scenic route policies.

Moreover, the landscape is dominated by large, uninterrupted agricultural land units (40–50ha) that form the essential backdrop for small rural settlements, such as historic Lynedoch Village. The existing Lynedoch settlement exemplifies an appropriate rural settlement typology; it offers a small-scale, community-integrated development that has a modest built form and a low visual impact. This typology aligns with the MSDF's directive to protect rural landscapes from suburbanization and to encourage development that is socially integrated, environmentally conscious, and visually compatible with agricultural surroundings.

Compatibility:
The proposed development introduces several substantial cumulative visual and landscape impacts given the site's heritage grading, scenic sensitivity and established rural landscape typology:

- A large-scale, gated suburban estate is incompatible with the existing rural settlement grain and scenic landscape character.
- The proposal is located on steeper slopes, and within the 500m scenic route buffer, thereby substantially raising the risk of visual prominence and skyline disruption.
- The built form, density, scale, and suburban housing typologies will interrupt the open agricultural landscape and dilute the rural aesthetic.
- The extent of built development, the loss of agricultural openness, and the introduction of urban forms directly contradict the intention of the Scenic Route Conservation System.

4. SETTLEMENT INTEGRATION AND HIERARCHY

The MSDF Principle 4 emphasizes maintaining the established roles and character of settlements while enabling targeted and context-appropriate growth. In this regard, Lynedoch is recognized as a unique rural settlement with a specialized function that is distinct from Stellenbosch's primary and secondary urban nodes.

Lynedoch Village was developed from 1999, founded on principles of ecological, social, and economic sustainability. The village's identity is shaped by social justice, inclusivity, environmental innovation, and a modest scale of development compatible with its rural, agricultural, and educational context.

As per the MSDF, any further development and growth for the village is envisaged to center around existing node through expanded and new educational and training programs, student, and staff accommodations in a compact, pedestrian oriented, child friendly community. To support this, the MSDF designates ±6ha for Mixed Community and Residential Infill around the existing village. Which was alluded to by the applicant when investigating alternative options.

The applicant claims to align with the MSDF's Mixed Community and Residential Infill designation. However, the proposed development deviates from this intent. Instead of developing the ±6ha designated for infill, the proposal seeks to rezone, subdivide, and develop ±28.09ha which is more than four times the envisaged extent in the MSDF.

This proposed scale is incompatible with the MSDF designation, which envisages small-scale infill, not a new township. The proposed development resembles the municipal primary nodes far more than the intended secondary rural settlement character of Lynedoch.

Lynedoch functions as a secondary rural settlement, characterized by an agricultural and conservation landscape of small and contained built footprint. It has limited-service capacity as confirmed by the municipal engineering department (See **Appendix 10**) and has specialized education-focused role. Although within the urban edge, the MSDF does not identify Lynedoch as a

priority development node. Instead, it is recognized as an area that requires upgrading, to function better as:

- A small-scale residential and suburban area;
- Accommodation for agricultural workers;
- A location for light industrial or agri-support uses; and
- A connector to major urban nodes.

From a spatial perspective, proposals in Lynedoch should maintain Lynedoch as a focus for education and training (with various focus areas and "levels" of education). Maintain the scale of mixed used and economic opportunity areas to reflect the current role of settlements. The MSDF identifies Stellenbosch, Kayamandi, Klapmuts, Jamestown, and Franschhoek as priority nodes capable of accommodating large-scale infill as proposed, intensification and densification. These areas are prioritized because they:

- Already function as established urban centres;
- Contain a range of urban uses and diverse housing typologies;
- Are the focus of densification initiatives;
- Have existing bulk infrastructure capacity;
- Contain underutilized or vacant land suitable for development; and
- Are integrated into strong public transport and mobility networks.

Lynedoch does not meet these criteria and the MSDF is specific:

"Over the longer term, Vlottenburg, Spier, and Lynedoch along the Baden Powell-AdamTas-R304 corridor could possibly accommodate more growth and be established as inclusive settlements offering a range of opportunities. However, these settlements are not prioritized for development at this stage."

This means proposals of this scale are premature, misaligned with the settlement hierarchy and not supported by the municipality's investment priorities. Its scale, intensity, and urban character are incompatible with the designated role of Lynedoch as a small, educational, agriculturally integrated rural settlement and introduces significant spatial, infrastructural, and policy misalignment.

5. MOVEMENT AND ACCESSIBILITY

The MSDF emphasizes a balanced transport system that integrates land-use planning with multimodal accessibility, prioritizes non-motorized transport (NMT), and supports efficient public transport options.

Access to both Lynedoch Village and Farm 468/28 is currently provided via a single access point off Lynedoch Road, located south of the farm and running parallel to Baden Powell Drive. This road is tarred but rural in scale and as per its design function is to serve a small rural settlement, not a township-scale development. It includes a pedestrian crossing linked to the train station footbridge and provides access primarily to the Sustainability Institute and Eco-Village community.

The proposed development will retain access via Lynedoch Road, but increase the number of access points to three, of which one continues serving the Sustainability Institute, and two additional access points serve the new gated residential development. This represents a substantial intensification of access demands on a road not designed for high-volume traffic, raising concerns regarding cumulative safety, road capacity, intersection performance, and traffic impact on the existing Lynedoch community.

The area's public transport context is extremely limited to the Lynedoch train station, located southeast of the site, which is not fully operational and lacks reliable service. There are no formalized public transport facilities (e.g., taxi ranks, bus stops with shelters, scheduled services). Walking and cycling routes to the station or to employment centers are constrained and unsafe due to rural road conditions. The applicant suggests the inclusion of **inclusionary housing**, but such housing requires reliable, affordable mobility options. This proposal does not provide:

- Functional public transport integration,
- A plan for future formalized public transport facilities, or
- Adequate connections to existing or future transport modes.

This significantly weakens the proposal's alignment with the MSDF mobility vision. Especially, since the MSDF identifies Baden Powell Drive as a public transport corridor because of its strategic location along the rail and road network. Further, the MSDF emphasizes capitalization of such infrastructure for settlements along the corridor, including Lynedoch. However, large scale developments are not prioritized unless a fully functioning, integrated public transport system exists.

The MSDF highlights that approximately 60% of Stellenbosch households do not own a car, implying high dependency on informal and unsupported public transport or walking. Therefore, new developments must demonstrate walkability, cycling infrastructure, public transport readiness, and integration into a future modal interchange. While the proposal includes internal NMT routes, they are mostly confined within the gated estate and not fully demonstrate, linkage for broader mobility, and show limited value to the wider Lynedoch community. Moreover, the development does not reinforce sustainable mobility, does not support modal shift, and places significant pressure on under-capacitated rural infrastructure.

6. COMMUNITY DEVELOPMENT AND SOCIAL INTEGRATION

The MSDF emphasizes the creation of compact and well-structured development that promote inclusive, equitable, and socially cohesive communities by improving access to housing, social services, and economic opportunities.

Lynedoch Village occupies a distinctive location between Khayelitsha and Stellenbosch and the village are internationally recognized for its sustainability and social-justice-driven interventions, which have shaped a deeply inclusive and socially mixed community.

Key characteristics of the existing community model include:

- Alternative, low-impact construction methods, including adobe bricks, reused materials, hay bales, and sandbags;
- A locally managed waste system, including an independent sewerage system and 100% greywater recycling;
- Shared community facilities and public spaces that reinforce social cohesion and collective stewardship.

This combination of environmental sustainability, social innovation, and community-led development has created a settlement identity unlike any other in the municipality. It forms a core heritage and social value for the area.

The proposed development introduces a gated, suburban-style estate, completely different in design philosophy, community formation principles, sustainability model, and social integration outcomes. This creates several socio-spatial risks:

- Loss of Lynedoch's unique, integrated community identity as the introduction of a gated estate undermines shared public spaces, cross-household interaction, social mixing, and community accessibility, all of which form the foundation of the Lynedoch Eco Village model.
- Reinforcement of exclusionary spatial patterns through gated estates inherently limit permeability, public access, and social integration between income groups. This contradicts the MSDF's commitment to mixed-income settlements, public realm integration, and social cohesion.
- Weak alignment with sustainability-driven development as the proposed suburban typologies do not follow alternative or climate-resilient building models, they replace community-

managed systems with private infrastructure and introduce vehicle-dominated layouts incompatible with Lynedoch's existing low-impact character.

Moreover, Stellenbosch Municipality faces a significant housing backlog, while the proposal includes commercial opportunities that can be accessed by all, it includes a private school and a private healthcare facility which does not meet the needs of low-income households, does not reduce dependence on external urban centres and reinforces socio-spatial inequalities by creating exclusive service enclaves within a gated estate. Households requiring public facilities will still need to travel outside Lynedoch, this misaligns with the MSDF's social objectives, contradicts the ethos of the Lynedoch Eco Village, and risks transforming a unique socially integrated rural settlement into a segmented, suburbanized, and exclusionary enclave.

7. INFRASTRUCTURE AND SERVICES

The MSDF emphasizes efficient, sustainable use of infrastructure, prioritizing infill development where service networks already exist and can be optimized with limited extensions or upgrades. The proposed development is located within the Lynedoch urban edge, where bulk services show limited access since 1996 in accordance with the Capital Expenditure Framework.

Although Lynedoch is located within the municipal urban edge, the Capital Expenditure Framework (CEF) indicates that the area has had limited bulk infrastructure investment since 1996. The CEF specifically notes that Lynedoch's bulk service infrastructure has not undergone major upgrades for decades. The area is not prioritized for future infrastructure expansion due to its rural settlement role. The municipal investment focus for Lynedoch is maintenance only, not expansion.

Compared to other rural nodes, Lynedoch has notable infrastructure constraints, including:

- Limited road capacity and rural road hierarchy;
- Restricted potable water supply and reticulation limitations;
- Constrained sewer and wastewater systems, with portions of the village reliant on localized eco-infrastructure;
- Informal stormwater management systems designed for a low-intensity settlement;
- Electricity distribution infrastructure with limited spare capacity.

The existing Lynedoch community, including the Sustainability Institute and the Eco Village relies heavily on alternative, sustainable systems, such as:

- Localized wastewater treatment systems;
- Greywater recycling;
- Low-consumption, off-grid energy interventions; and
- Low-impact construction and low-density layouts.

These systems function effectively within the small-scale, low-intensity rural settlement, but they do not support or accommodate township-scale urban development. The proposed mixed-use township of ±28.09ha including medium to high-density residential (40–80 du/ha), a private school (750 learners), commercial development (±2 500 m² GLA), internal roads, and private services will require extensive bulk infrastructure upgrades. These upgrades are not planned, not budgeted for, and not aligned with the CEF. The scale and intensity of the proposed development far exceed the infrastructure carrying capacity of Lynedoch and do not align with the MSDF's infill and optimization principles.

8. POLICY ALIGNMENT SUMMARY

8.1. MSDF Compliance

Although Farm 468/28 falls within the urban edge, this does not diminish its agricultural potential, biodiversity value, or its strategic role as part of the Green Areas Retained network. The MSDF is clear that location inside the urban edge does not automatically justify township-scale development's form, scale, context, and settlement hierarchy must still be respected.

The proposed development demonstrates limited alignment with several MSDF principles:

MSDF Principles	Proposal Compliance
1. Preservation of Agriculture, Water, Biodiversity resources	– Clears ±29ha of high-potential agricultural land for urban uses. – Removes viable agricultural land from production, undermining regional food systems. – Introduces high-intensity, non-agricultural land uses incompatible with rural/agricultural character. – Promotes urban sprawl along a sensitive rural-urban threshold. – Compromises municipal food security, climate resilience, and green-infrastructure objectives.
2. Heritage and Scenic Landscape Protection	The proposed development introduces several substantial landscape and visual impacts: – Suburbanization of a rural scenic corridor; – Increased visual intrusion due to topography and proximity to R310. – Erosion of rural landscape character – Conflict with USR6 and Scenic Route policy directives.
3. Optimal Land Use and Settlement Hierarchy	– Converts large areas of high-value agricultural land, undermining long-term agricultural productivity. – Introduces an urban township form into an area designated only for limited, small-scale infill. – Diverts infrastructure investment away from priority nodes (Stellenbosch, Kayamandi, Klapmuts, etc.). – Forces premature development in a non-priority rural settlement. – Introduces suburban typologies inconsistent with rural/agricultural landscape character. – Contradicts MSDF directives to prevent rural sprawl and protect cultural and environmental landscapes.
4. Community development	- Undermines the existing socially sustainable Lynedoch model, replacing it with a gated estate. - Introduces exclusionary settlement patterns, inconsistent with MSDF goals of inclusion, integration, and shared public space. - Provides privatized social services (school, healthcare) inaccessible to most residents. - Fails to thoroughly address public transport access for low-income households. - Misaligns housing investment with municipal priorities and the distribution of housing demand. - Does not account for the informal economy, which is critical for inclusive settlements.
5. Improved mobility and access	The proposed development is misaligned with MSDF mobility principles and will result in: – Unsustainable car-based access, with no meaningful modal alternatives. – Increased congestion and safety risks along Lynedoch Road, which is not designed for high-volume traffic. – Poor integration with public transport, given the non-operational train station and lack of formalized services. – Limited NMT infrastructure, primarily internal to the estate, offering no regional accessibility improvements. – Spatial and mobility inequity, disproportionately affecting inclusionary housing residents and low-income households.

	– Non-compliance with MSDF directives, which require new developments to support NMT, integrate with public transport, and align with designated growth areas.
6. Focus development on critical lead projects	- The development introduces greenfield leapfrog development. - The area is not identified as a priority node for development. - No infrastructure capacity: - bulk water and sewer networks • public transport systems • solid waste management • sewer and stormwater management - Requires large, unplanned, and unbudgeted bulk service upgrades. - Is not supported by the CEF, which prioritizes maintenance only in Lynedoch. - Does not optimize existing infrastructure as required by the MSDF. - Places disproportionate strain on limited rural infrastructure networks. - Undermines long-term municipal service delivery efficiency. - Conflicts with the settlement hierarchy and investment priorities established by the MSDF.

8.2. By-law Compliance

The property is zoned Agricultural and Rural zone, with permitted land uses are primarily agricultural in nature. Based on the above MSDF principles as well the requirements set out in section 65 of the municipal by-law, the proposal:

- Does not demonstrate the need for a large-scale housing development in Lynedoch- which has the lowest growth rate among rural nodes instead of the highest housing demand priority urban nodes identified that also corresponds to the capital budgets of the municipality.
- The development threatens sensitive rural character, heritage assets, scenic routes, and agricultural continuity and the settlement form and density are incompatible with its surroundings.
- The proposed development cannot be adequately serviced without substantial, unplanned upgrades to bulk infrastructure network.
- The development would divert capital away from priority nodes, contrary to fiscally responsible planning.
- The proposal will worsen congestion and does not fully demonstrate public transport readiness which is required for such developments.

8.3. Policy Frameworks

In addition to the MSDF and Section 65 of the Municipal Planning By-law, all land-use change applications must align with supporting policy frameworks at the municipal, district, and provincial scales. These frameworks guide spatial transformation, agricultural protection, environmental sustainability, and settlement structuring.

At national level, the Spatial Planning and Land Use Management Act (SPLUMA) is contravened, as the proposal introduces an exclusionary gated estate and privatized services, removes high-value agricultural land, damages biodiversity, promotes sprawl, requires unplanned bulk infrastructure upgrades, reduces ecological and agricultural resilience, and conflicts with the IDP, MSDF, EMF, CEF and settlement hierarchy. Provincially, the Western Cape Provincial Spatial Development Framework (WCPSDF) directs municipalities to safeguard agricultural land, protect environmental assets, conserve

rural landscapes, and channel urban development into appropriate serviced areas; the proposal conflicts with each of these directives.

In terms of the Western Cape Land Use Planning Act (LUPA) 2014, the application is inconsistent with the MSDF's spatial designations and thus violates section 19 relating to compliance with adopted spatial plans. At the municipal environmental level, the Stellenbosch Environmental Management Framework (EMF) designates the site for intensive agriculture, making the proposed township establishment incompatible with the prescribed land-use intent. The Stellenbosch Heritage Inventory identifies the Eerste River Stellenbosch Farms cultural landscape and associated scenic routes as areas requiring conservation; however, the development's scale, height, and massing create significant visual intrusion and conflict with scenic-drive and cultural landscape guidelines.

Further, the Western Cape Rural Land Use Planning Guidelines (2019) promote small-scale rural diversification and the protection of agricultural landscapes; the proposed urban-scale development directly contradicts these objectives. The Capital Expenditure Framework (CEF) identifies Lynedoch as a maintenance-only area, and the proposal's extensive bulk infrastructure demands are unplanned, unfunded, and inconsistent with municipal financial sustainability principles. Together, these national, provincial, and municipal policies reflect a coherent spatial direction that prioritizes agricultural protection, rural landscape conservation, and growth within established nodes.

The proposed development substantially deviates from all supporting policy frameworks, and the consistent objections from internal and external municipal departments confirm that no changed circumstances justify departure from current spatial policy. The land unit clearly remains critical for agricultural, cultural, scenic, and rural landscape functions and therefore does not warrant support for township-scale development.

9. STREET NAMING AND NUMBERING

The application for the approval of the following 18 street names (alternatives in brackets where applicable) in terms of the Stellenbosch Municipal Street Naming and Numbering Policy 2022 is not delegated to the MPT and must be considered by the delegated functionary in accordance with the Delegations of the Policy for the Naming and Renaming of Streets, Public Places, Natural Areas, Artefacts and Council-Owned Buildings and Facilities, July 2022 as approved by Council vide Item 11.8.3 and dated 23 November 2022.

10. CONCLUSION

The proposal conflicts with key principles of the Municipal Spatial Development Framework principles and fails to comply with the general spatial criteria set out in Sections 65 of the Stellenbosch Land Use Planning By-law (2023).

Until priority nodes are fully developed and a functional public transport system supports growth beyond established urban centres, development of this scale in Lynedoch remains premature, spatially inappropriate, and unsustainable within the local context.

Given the significant policy compliance concerns and the absence of evidence supporting settlement integration, the absence of a fully functioning public transport system, agricultural non-viability and motivation for upscaling the rural function of the village, and other relevant considerations, the proposed mixed-use development is deemed inappropriate for this location, nor does it address the MSDF's checklist questionnaire to assist in aligning land use development management decision-making. It conflicts not only with the Municipal Spatial Development Framework (MSDF), the Stellenbosch Land Use Planning By-law (2023), and the Western Cape Land Use Planning Guidelines for Rural Areas, it also conflicts with key national and provincial policies as previously discussed.

Although site specific motivation was submitted, it fails to address the uniqueness of the site and deviating from its designation as green areas retained. There is therefore not any unique circumstances or considerations to serve as compelling justification to deviate from the prescribed SMSDF spatial provisions and designation, which specifically envisage small-scale infill development and not a new township as proposed. It's the SMSDF intent to preserve areas of agricultural significance, maintain the rural landscape character and prevent premature or inappropriate urban expansion. The defined urban edge for the area is therefore not the only instrument to plan for sustainable development. The subject land use and land development applications are, having regard to the conclusions above, viewed as deviating from the MSDF and not in Compliance with the objectives of the policy prescriptions and consequently grounds for **not supporting** the subject land use and land development applications.	
List relevant plan numbers	1. Block Plan: Rev 05.2, dated 28/03/2024 and drawn by Urban Studio Architects & Urban designers. 2. Sketch Plan: proposed subdivision, dated May 2024 and drawn by Virdus Works. 3. Sketch Plan: proposed Phasing and land Use Plan, dated May 2024 and Drawn by Virdus Works. 4. Sketch Plan: proposed Street names, dated May 2024 and Drawn by Virdus Works.
List annexures	**APPENDIX 1** Locality **APPENDIX 2** Rezoning, Subdivision and Street Naming and Numberings Plans **APPENDIX 3** Motivational Report **APPENDIX 4** Portfolio of Evidence **APPENDIX 5** Objections received **APPENDIX 6** Applicants comments on objections **APPENDIX 7** Department of Environmental Affairs and Development Planning **APPENDIX 8** Western Cape Government: Department of Agriculture **APPENDIX 9** Heritage Western Cape **APPENDIX 10** Municipal Directorate: Infrastructure Services **APPENDIX 11** Department: Mineral Resources & Energy **APPENDIX 12** Department: Water & Sanitation **APPENDIX 13** Eskom **APPENDIX 14** Western cape Government: Department of Infrastructure Chief Directorate: Roads Planning

RECOMMENDATION:

1. That it BE DECIDED that the application for Rezoning, Subdivision, Street naming and numbering on Farm No. 468/28, Stellenbosch Division **deviates from the provisions of the Stellenbosch Municipality Spatial Development Framework** (SMSDF) as contemplated in terms of Section 19 of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014), for the following reasons:

   1.1. The proposal is inconsistent with the SMSDF spatial designations of Green Areas Retained, subsequently violates Section 19 of the LUPA relating to compliance with adopted spatial plans, and thus conflicts with the spatial planning objectives of the SMSDF.

2. That it BE DECIDED that the application for Rezoning, Subdivision, Street naming and numbering on Farm No. 468/28, Stellenbosch Division, **does not warrant site specific circumstances** as contemplated in terms of Section 22(2) of Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) for the following reasons:

   2.1. There is not any unique circumstances or considerations to serve as compelling justification to deviate from the prescribed SMSDF spatial provisions and designation, which specifically envisage small-scale infill development and not a new township as proposed. It's the SMSDF intent to preserve areas of agricultural significance, maintain the rural landscape character and prevent premature or inappropriate urban expansion.

3. That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw on Farm No. 468/28, Stellenbosch Division:

   3.1 **Rezoning** in terms of Section 15(2)(a) of the said bylaw, for the rezoning of the Remainder Portion 28 of Farm No 468, Stellenbosch Division from Agricultural and Rural Zone to Subdivisional Area Overlay Zone to allow the following uses in a mixed use and Multi-unit residential development namely; Private Open Space, Education Zone; Mixed Use Zone, Multi-Unit Residential Zone, Conventional Residential Zone and Public Roads and Parking Zone.

   3.2 **Subdivision** in terms of Section 15(2)(d) of the said bylaw for the subdivision of Farm No 468/28, Stellenbosch Division into 52 Portions and a Remainder, namely;

   Erf 1 (±0,6682ha), Erf 2 (±1,7655ha), Erf 3 (±0,3054ha), Erf 4 (±0,8815ha), Erf 5 (±0,8274ha), Erf 6 (±0,7024ha), Erf 7 (±1,0678ha), Erf 8 (±0,7719ha), Erf 9 (±0,5976ha), Erf 10 (±1,0671ha), Erf 11 (±05,5319ha), Erf 12 (±0,1794ha), Erf 13 (±0,9219ha), Erf 14 (±0,9179ha), Erf 15 (±0,9300ha), Erf 16 (±2,6625ha), Erf 17 (±1,5857ha), Erf 18 (±0,3214ha), Erf 19 (±0,1159ha), Erf 20 (±0,1440ha), Erf 21 (±0,1302ha), Erf 22 (±0,2216ha), Erf 23 (±0,7267ha), Erf 24 (±1,5497ha), Erf 25 (±1,5905ha), Erf 26 (±1,2612ha), Erf 27 (±0,4115ha), Erf 28 (±0,6034ha), Erf 29 (±0,7905ha), Erf 30 (±0,4438ha), Erf 31 (±0,4699ha), Erf 32 (±0,5252ha), Erf 33 (±0,5896ha), Erf 34 (±0,0367ha), Erf 35 (±0,0426ha), Erf 36 (±0,6180ha), Erf 37 (±0,5786ha). Erf 38 (±0,4251ha), Erf 39 (±0,5881ha), Erf 40 (±0,7033ha), Erf 41 (±0,8611ha), Erf 42 (±2,3266ha), Erf 43 (±1,2018ha), Erf 44 (±1,2249ha), Erf 45 (±1,2691ha), Erf 46 (±1,2800ha), Erf 47 (±0,7212ha), Erf 48 (±0,4833ha), Erf 49 (±0,4972ha), Erf 50 (±2,3244ha), Erf 51 (±0,4615ha), Erf 52 (±0,8823ha) and a Remainder Farm No. 468/28 (±0,734ha).

3.3 **Subdivision** in terms of Section 15(2)(d) of the said bylaw for the subdivision of Farm No 468/28, Stellenbosch Division into 14 Phases and the registration of services servitudes (5m wide gravity sewer line, 3m wide water line and 5m wide rising main sewer line).

BE REFUSED in terms of Section 60 of the said Bylaw and subject to conditions of approval.

4. The **reasons** for the above decision are as follows:

4.1 The proposal converts ±29ha of high-potential agricultural land to non-agricultural urban uses, undermining long-term agricultural productivity and the rural economy.

4.2 The site forms part of a Grade IIIb cultural landscape and falls within the R310 Scenic Route Conservation System. The scale, massing and suburban typologies will introduce visual intrusion, disrupt scenic vistas and erode the rural character.

4.3 Lynedoch is designated as a secondary rural settlement, not a growth node and the MSDF only identifies ±6ha for small-scale infill development and not ±29ha township establishment, a scale more appropriate to primary nodes and contradicting municipal settlement hierarchy objectives.

4.4 Lynedoch is a maintenance-only area in the Capital Expenditure Framework (CEF) and is not prioritized for bulk infrastructure upgrades and the proposal requires significant unplanned upgrades to bulk infrastructure networks.

4.5 The proposal is founded on unsupported mobility assumptions; the Lynedoch train station rail service is not fully functional or reliable, and the proposal and design do not fully explore intermodal change, Non-Motorised Transport (NMT) provisions to the broader settlement.

4.6 Lynedoch is an established socially mixed, sustainable community; the proposal introduces a gated, exclusionary typology with private social facilities undermining inclusive community development and the existing settlement ethos.

4.7 MSDF directives align with SPLUMA, WCPSDF, LUPA and Rural Land Use Guidelines planning principles, while the proposal demonstrates substantial deviation from all supporting frameworks, with no changed circumstances justifying urban transformation of this land unit.

4.8 Most internal and external public departments consulted in the application process have opposed or refused the proposal, confirming that the land unit remains critical for agricultural, heritage, scenic and rural landscape functions and that no policy or contextual changes justify its transformation.

4.9 The application under the Subdivision of Agricultural Land Act (70/1970) to extend municipal jurisdiction into the urban area for Farm 468/28, Stellenbosch was refused, considering that including the property in the urban edge would result in opportunistic, speculative development, loss of valuable agricultural land and erosion of rural and scenic character.

5. Matters **to be noted**:

5.1. The application for the approval of the following 18 street names (alternatives in brackets where applicable) in terms of the Stellenbosch Municipal Street Naming and Numbering Policy 2022;

Lynedoch Street, Welmoed Avenue (Welmoed Road), Meerlust Avenue (Meerlust Road), Cellar Street (Kelder Street), Spier Avenue (Farm Road), Granite Avenue (Plunton Road), Drie Gewels Avenue (Institute Road), Uniqon Sqaure Avenue (Hendrich Square Road), Avalien Street (Anika Street), Marcell Street (Carla Street), Olive Street (Renosterbos), Windpomp Street

(Windmill Street), Varney Street (Glen Eagles Street), Oakleaf Street (Villafontes Street), Spring Street (Fontein Street), Bendeman Street (Christelle Street), Cabernet Street (Vineyard Street) and Christiaan Close (Stella Close).

must be submitted for consideration to the delegated functionary in accordance with the Delegations of the Policy for the Naming and Renaming of Streets, Public Places, Natural Areas, Artefacts and Council-Owned Buildings and Facilities, July 2022 as approved by Council vide Item 11.8.3 and dated 23 November 2022.

ASSESSMENT RECOMMENDATION BY TOWN PLANNER

The proposed land use and land development application has been duly evaluated in terms of process and desirability with the recommendation for consideration.

Name: P April
Capacity: Senior Town Planner
SACPLAN Registration:
Signature:
Date: 10/03/2026

REVIEW OF ASSESSMENT AND RECOMMENDATION

The recommendation for decision is hereby submitted for consideration to the authorised decision-maker in accordance with the System of Delegations OR Categorisation Model approved in terms of Section 69 of the said Bylaw vide Item 11.8.1 dated 24 May 2023.

Category / Delegation Item Number: A(c) and D(e)
Decision Making Authority: MPT
Rational: Rezoning and subdivision of any land to a scale or to use(s) in nature that are deemed to cause the transformation of an area and may cause the undue fragmentation of agricultural land and associated impact on its continued viability and /or the transformation of character of productive, scenic or cultural landscape, regardless of any supportive planning directives and /or alternatively, if the application is not consistent with the purpose and intent of the prevailing zoning scheme provision.

Name: Chrizelle Friel
Capacity: MCurM
SACPLAN Registration: A12140
Signature:
Date: 12.03.2026

MPT ADMINISTRATION OF PLANNING APPLICATION ASSESSMENT REPORT

Administrator to Stellenbosch Municipal Planning Tribunal:
It is hereby confirmed that proper notice was served of the Municipal Planning Tribunal meeting at which this land use and land development application will serve for consideration.

The land use and land development application will serve at the scheduled meeting of the Stellenbosch Municipal Planning Tribunal on:

Date: .....

Name: Chrizelle Friel
Capacity: MCurM
Signature:
Date: 12.03.2026

APPENDIX 1

Locality



Ptn 28 Farm Welmoed Estate No. 468

Legend

- Farm Portions
- Erf

Map Center: Lon: 18°46'1.9"E
Lat: 33°58'53.4"S

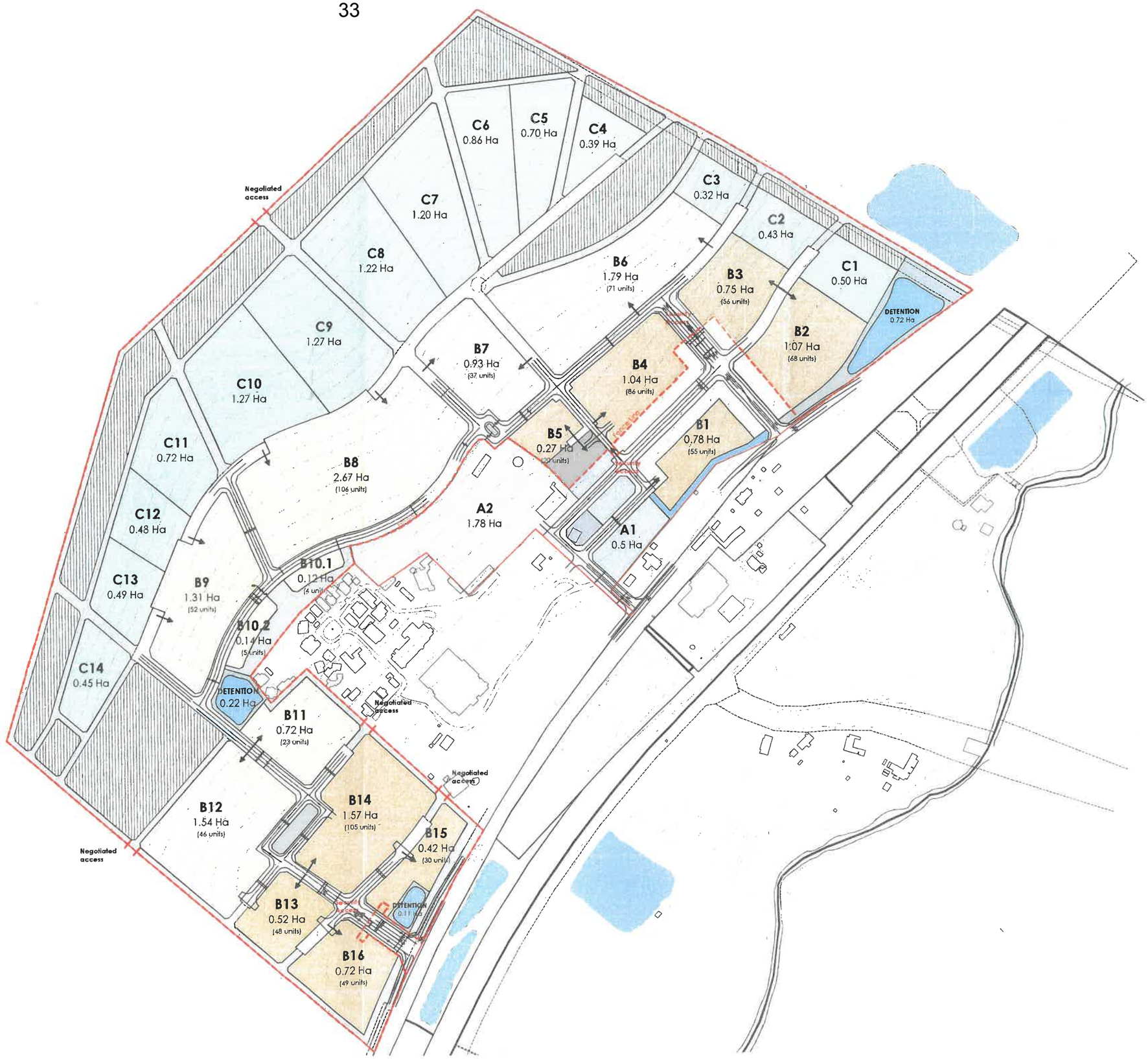
Scale: 1:5 000

Date created: September 12, 2022

Western Cape Government
FOR YOU
Agriculture

APPENDIX 2

Rezoning, Subdivision and Street Naming and Numberings Plans



PORTION 28 LAND USE TABLE			
	Site area	**45.48 Ha**	
	Land use	**Area**	**Units**
	School Component (A2)	1.78 Ha	
	Commercial (A1,B5)	0.50 Ha	
	Clubhouse Component(B5)	0.18 Ha	
	Mixed Use Component (B1-4)	0.7 Ha	515 units
	Residential (@80 du/ha)	5.88 Ha	
	Residential (@40 du/ha)	8.74 Ha	355 units
	Alottment Villas	10.31 Ha	14 units
	Total (excluding areas below)	**28.09 Ha**	**884 units**
	Detention & SW area	1.15 Ha	
	Indigenous slopes	6.43 Ha	
	Roads & squares	4.86 Ha	
	Private open space	4.04 Ha	

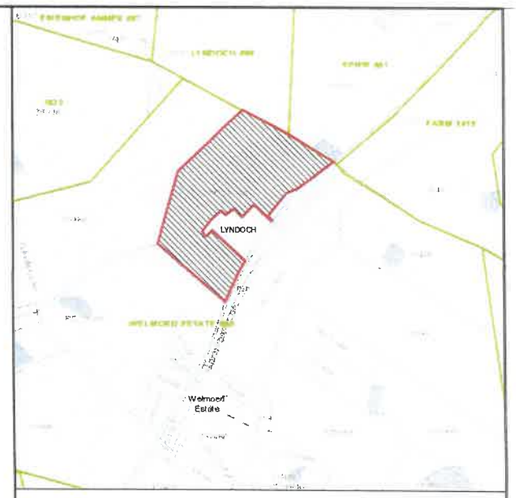
Block Plan (PORTION 28) REV 05.2 | 1:2000 (@A1) | 28.03.2024

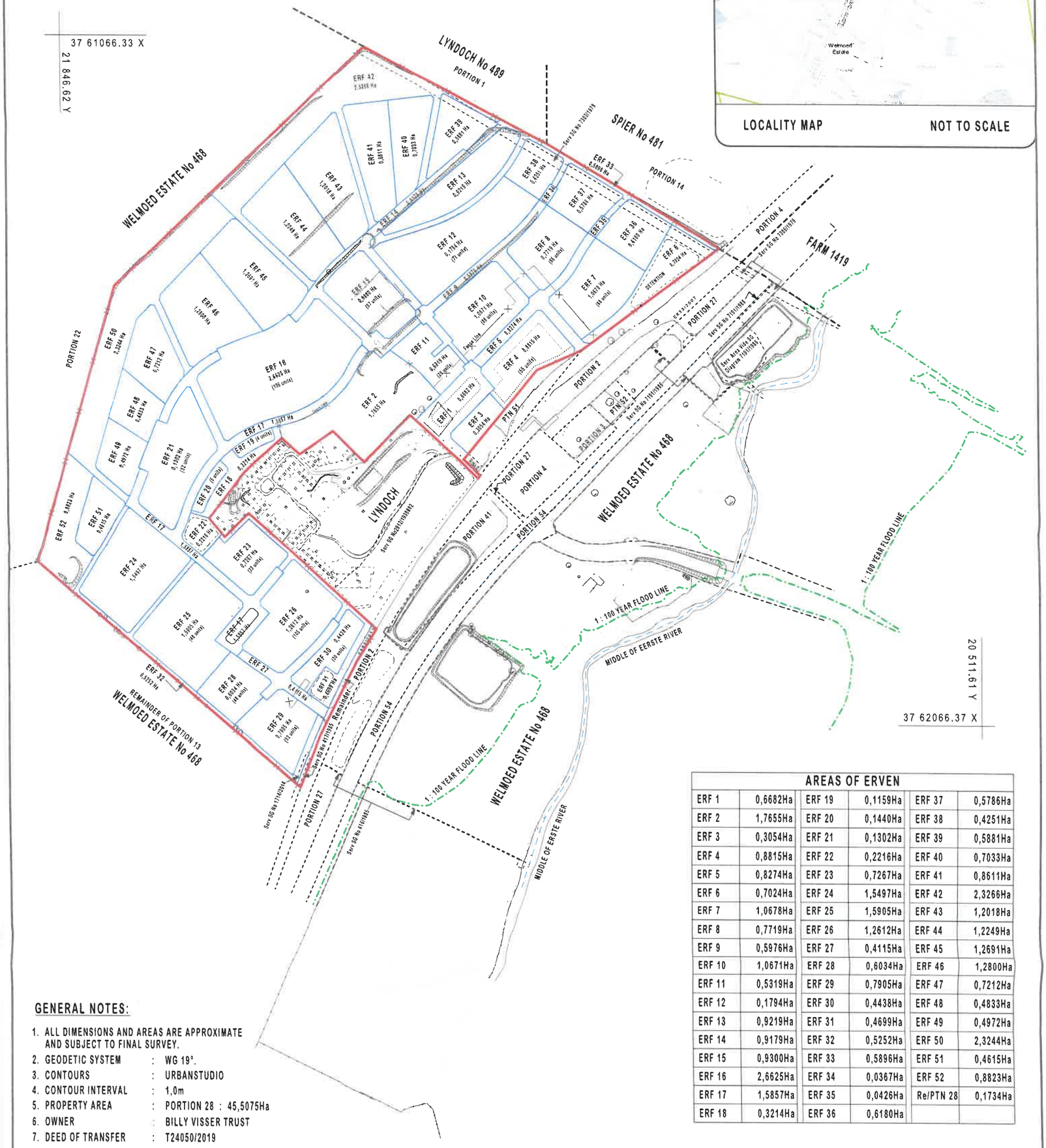
WELMOED URBANSTUDIO architects & urban designers

SKETCH PLAN:
PROPOSED SUBDIVISION OF
PORTION 28 OF THE FARM
WELMOED ESTATE No. 468
LOCAL AUTHORITY: STELLENBOSCH

ANNEXURE J-1

SCALE: 1 : 4 000





GENERAL NOTES:

1. ALL DIMENSIONS AND AREAS ARE APPROXIMATE AND SUBJECT TO FINAL SURVEY.
2. GEODETIC SYSTEM : WG 19°.
3. CONTOURS : URBANSTUDIO
4. CONTOUR INTERVAL : 1,0m
5. PROPERTY AREA : PORTION 28 : 45,5075Ha
6. OWNER : BILLY VISSER TRUST
7. DEED OF TRANSFER : T24050/2019

AREAS OF ERVEN					
ERF 1	0,6682Ha	ERF 19	0,1159Ha	ERF 37	0,5786Ha
ERF 2	1,7655Ha	ERF 20	0,1440Ha	ERF 38	0,4251Ha
ERF 3	0,3054Ha	ERF 21	0,1302Ha	ERF 39	0,5881Ha
ERF 4	0,8815Ha	ERF 22	0,2216Ha	ERF 40	0,7033Ha
ERF 5	0,8274Ha	ERF 23	0,7267Ha	ERF 41	0,8611Ha
ERF 6	0,7024Ha	ERF 24	1,5497Ha	ERF 42	2,3266Ha
ERF 7	1,0678Ha	ERF 25	1,5905Ha	ERF 43	1,2018Ha
ERF 8	0,7719Ha	ERF 26	1,2612Ha	ERF 44	1,2249Ha
ERF 9	0,5976Ha	ERF 27	0,4115Ha	ERF 45	1,2691Ha
ERF 10	1,0671Ha	ERF 28	0,6034Ha	ERF 46	1,2800Ha
ERF 11	0,5319Ha	ERF 29	0,7905Ha	ERF 47	0,7212Ha
ERF 12	0,1794Ha	ERF 30	0,4438Ha	ERF 48	0,4833Ha
ERF 13	0,9219Ha	ERF 31	0,4699Ha	ERF 49	0,4972Ha
ERF 14	0,9179Ha	ERF 32	0,5252Ha	ERF 50	2,3244Ha
ERF 15	0,9300Ha	ERF 33	0,5896Ha	ERF 51	0,4615Ha
ERF 16	2,6625Ha	ERF 34	0,0367Ha	ERF 52	0,8823Ha
ERF 17	1,5857Ha	ERF 35	0,0426Ha	Re/PTN 28	0,1734Ha
ERF 18	0,3214Ha	ERF 36	0,6180Ha		

PLAN NUMBER:
REF:
Applicant Signature _____

DATE	AMENDMENTS
MAY 2024	SUBMISSION

0m 100m 200m 300m 400m

ON ORIGINAL A2

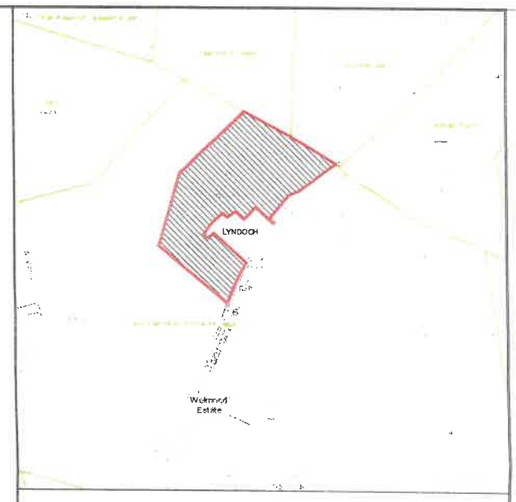
VIRDUS WORKS
Virdus Works (Pty) Ltd (Reg. No. 2018/585747/07)
Development Management Consultants and Enviromental Assessment Practitioners
3rd Floor, Time Square, Elektron Street, Techno Park, Stellenbosch, 7600, South Africa
Mobile: +27 82 467 3748
Email: jacqui@jsamsonconsultancy.com

ANNEXURE J-2

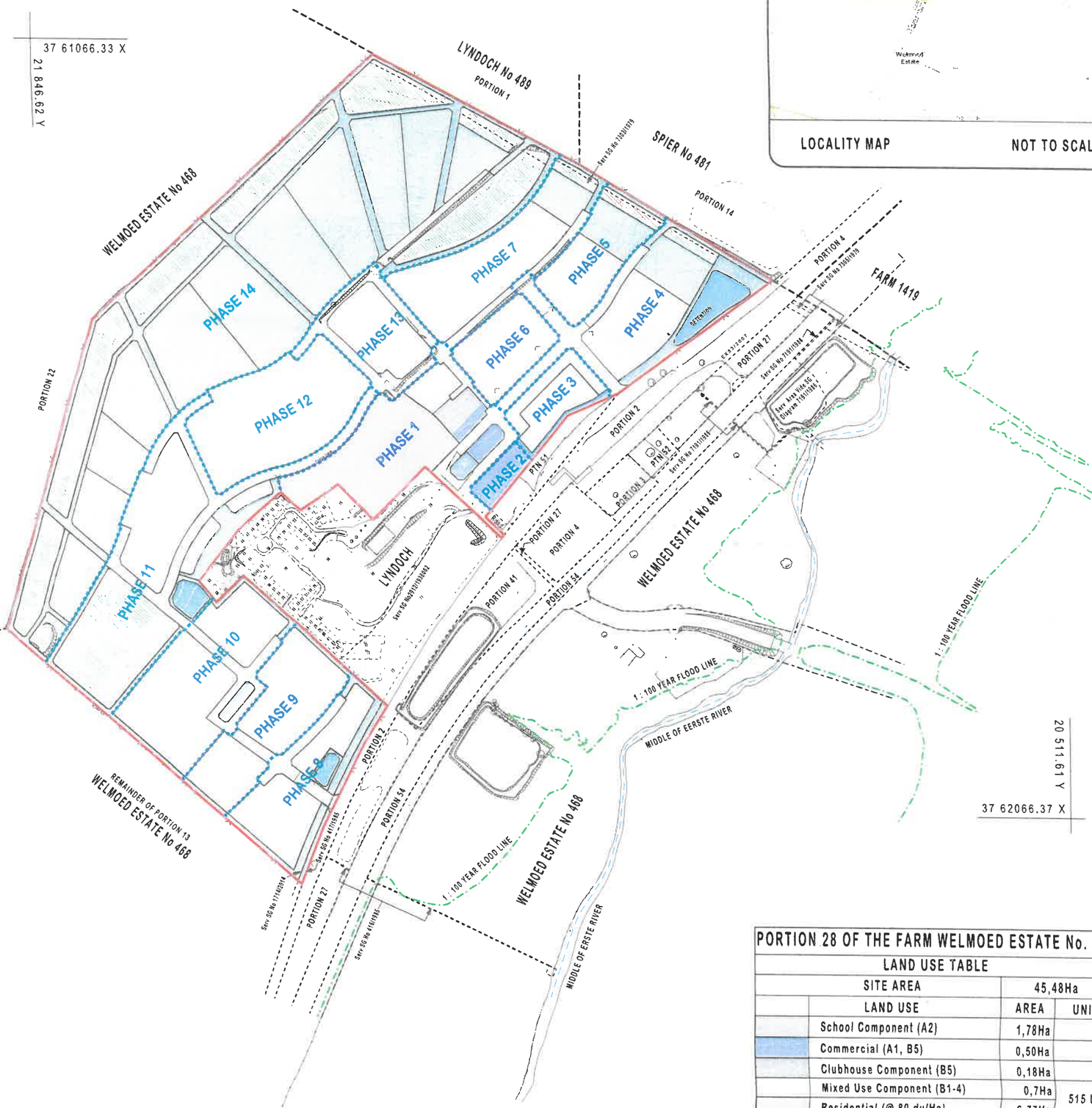
SKETCH PLAN:
PROPOSED PHASING & LAND USE PLAN

PORTION 28 OF THE FARM
WELMOED ESTATE No. 468
LOCAL AUTHORITY: STELLENBOSCH

SCALE: 1 : 4 000



LOCALITY MAP NOT TO SCALE



GENERAL NOTES:

1. ALL DIMENSIONS AND AREAS ARE APPROXIMATE AND SUBJECT TO FINAL SURVEY.
2. GEODETIC SYSTEM : WG 19°.
3. CONTOURS : URBANSTUDIO
4. CONTOUR INTERVAL : 1,0m
5. PROPERTY AREA : PORTION 28 : 45,5075Ha
6. OWNER : BILLY VISSER TRUST
7. DEED OF TRANSFER : T24050/2019

PORTION 28 OF THE FARM WELMOED ESTATE No. 468

LAND USE TABLE

	SITE AREA	45,48Ha	
	LAND USE	AREA	UNITS
	School Component (A2)	1,78Ha	
	Commercial (A1, B5)	0,50Ha	
	Clubhouse Component (B5)	0,18Ha	
	Mixed Use Component (B1-4)	0,7Ha	515 Units
	Residential (@ 80 du/Ha)	*6,77Ha*	
	Residential (@ 40 du/Ha)	8,74Ha	355 Units
	Alottment Villas	10,31Ha	14 Units
	TOTAL (Excluding Areas below)	29,0Ha	884 Units
	Detention & SW area	1,16Ha	
	Indigenous slopes	6,43Ha	
	Roads & squares	4,86Ha	
	Private open space	4,04Ha	

PLAN NUMBER:
REF:
Applicant Signature _____

DATE	AMENDMENTS
MAY 2024	SUBMISSION

0m 100m 200m 300m 400m

ON ORIGINAL A2

VIRDUS WORKS
Virdus Works (Pty) Ltd (Reg. No. 2018/585747/07)
Development Management Consultants and Enviromental Assessment Practitioners
3rd Floor, Time Square, Elektron Street, Techno Park, Stellenboch, 7600, South Africa
Mobile: +27 82 467 3748
Email: jacqui@jsamsonconsultancy.com

SKETCH PLAN:
PROPOSED STREET NAMES

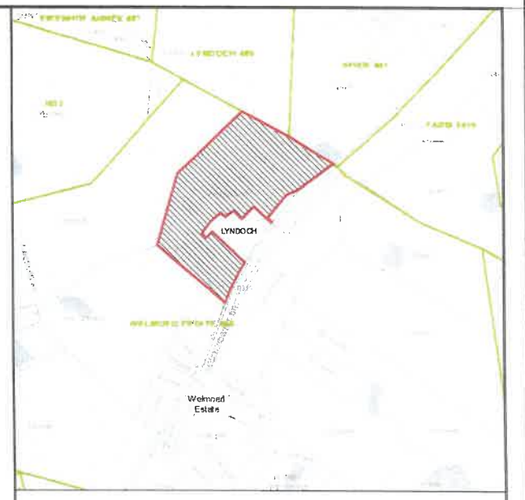
PORTION 28 OF THE FARM

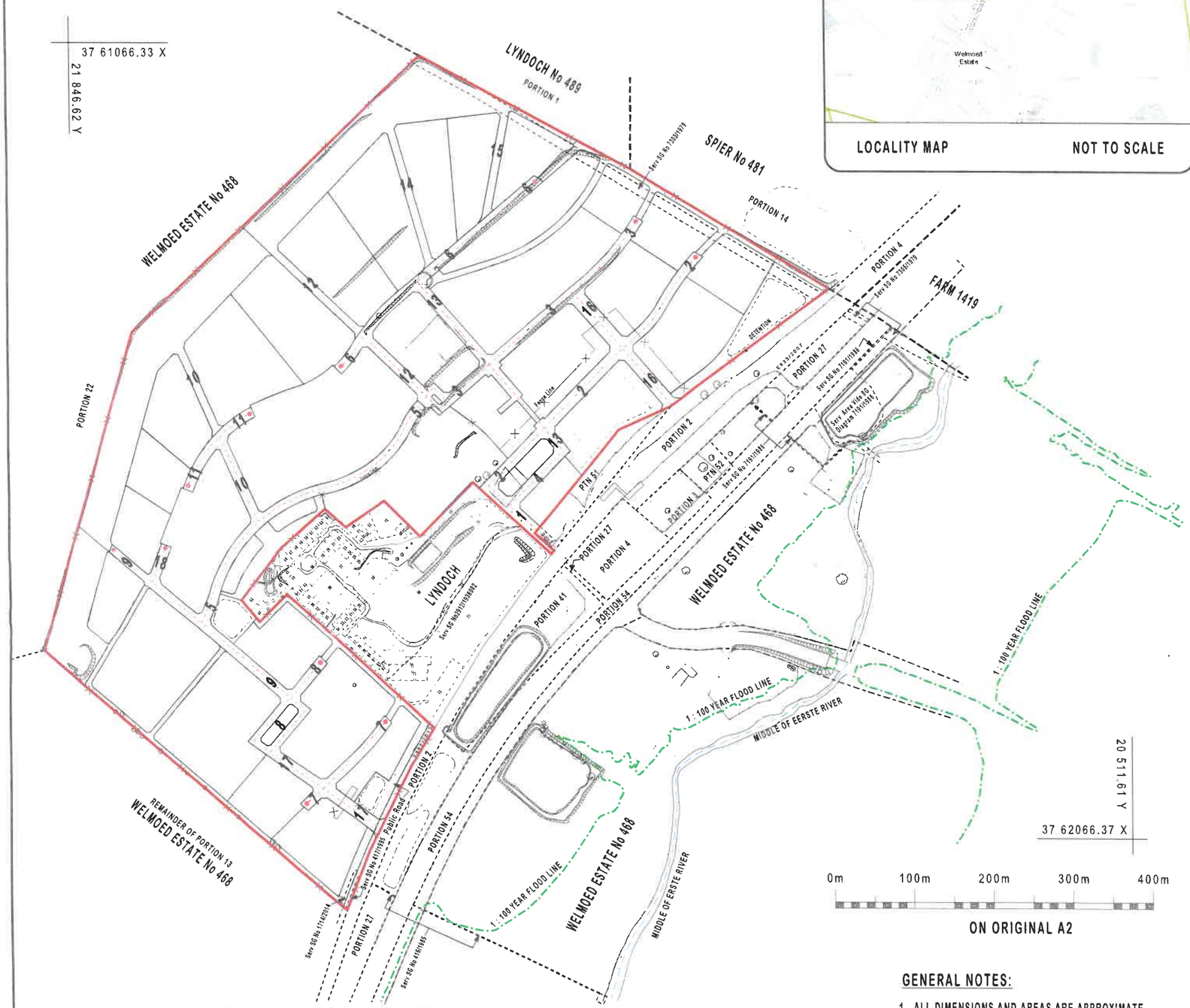
WELMOED ESTATE No. 468

LOCAL AUTHORITY: STELLENBOSCH

ANNEXURE J-3

SCALE: 1 : 4 000





Street Reference	Prefered Name	Alternative Name	Name Derivation
1	Lynedoch Street		Existing access street with name as name appeats in documents and on maps
2	Welmoed Avenue	Welmoed Road	Name of relevance to the original farm name.
3	Meerlust Avenue	Meerlust Road	Name of relevance to the name of an abutting farm awarded to the original farm owners.
4	Cellar Street	Kelder Street	Name relevant to the old wine cellar on the farm.
5	Spier Avenue	Farm Road	Name of relevance to the name of an abutting farm, the owners of which made significant contribution to the Sustainability Institute.
6	Granite Avenue	Pluton Road	Names referring to the rocky outcrops, which are the only portions not cultivated or transformed.
7	Drie Gewels Avenue	Institute Road	Name relevant to the existence of the main built features of Lynedoch Village.
8	Uniqon Square Avenue	Hendrich Square Raod	Names of relevance to the developer.
9	Avalien Street	Anika Street	Names of relevance to the developer.
10	Marcell Street	Carla Street	Names of relevance to the developer.
11	Olive Street	Renosterbos Street	Name of relevance to the vegetation on the farm.
12	Windpomp Street	Windmill Street	Name of relevance to a windmill standing on the farm.
13	Varney Street	Glen Eagles Street	Name of relevance to the name of one of the original farm owners responsible for establishing the hotel, and the initial name thereof.
14	Oakleaf Street	Villafontes Street	Names of the two major soil types found on the property.
15	Spring Street	Fontein Street	Name of relevance to the spring that used to provide the farm with water.
16	Bendeman Street	Christelle Street	Names of relevance to the developer.
17	Cabernet Street	Vineyard Street	Name of relevance to the viticulture on the farm.
18	Christiaan Close	Stella Close	Names of relevance to the developer.

GENERAL NOTES:

1. ALL DIMENSIONS AND AREAS ARE APPROXIMATE AND SUBJECT TO FINAL SURVEY.
2. GEODETIC SYSTEM : WG 19°.
3. CONTOURS : URBANSTUDIO
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DATE	AMENDMENTS
MAY 2024	SUBMISSION

VIRDUS WORKS

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